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10/809,151	03/25/2004	Antony Manoj Justin	200316482-1	7395

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EXAMINER
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KOYAMA, KUMIKO C

ART UNIT	PAPER NUMBER
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2887

NOTIFICATION DATE	DELIVERY MODE
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07/15/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/809,151	<b>Applicant(s)</b> JUSTIN, ANTONY MANOJ	
	<b>Examiner</b> KUMIKO C. KOYAMA	<b>Art Unit</b> 2887	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 June 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

Amendment received on June 03, 2008 has been acknowledged.

#### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on June 03, 2008 has been entered.

#### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-10, 12, 13 and 15-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pitroda (US 5,884,271) in view of Iijima (US 4,887,234) and Baratelli (US 6,325,285).

Re claims 1, 4, 13, 18, 19, 22 and 30: Pitroda discloses a universal electronic transaction (UET) card, which includes a microprocessor (col 2, lines 48-51), and such disclosure teaches a processor within the card. Pitroda discloses a memory means for storing information, including personal information for the user, account information for a plurality of service institution in

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which the user has an account, and transactional information for each service institution for which account information exists, into the memory means (col 18, lines 34-40). As shown in Fig. 3, RAM, ROM and non-volatile RAM 34 are all coupled to the microcontroller (col 11, lines 38-40). Pitroda teaches that the UET stores social security number (col 2, lines 53-54), drivers license (col 1, lines 34-35), bank account numbers (col 3, lines 15-20), a membership identification (employee identification number, col 1, lines 33-34; a club membership account number, col 2, lines 56-57), a password (a security code, col, 15, lines 49-58), a government record (vehicle registrations, col 1, lines 34-35) and a medical record (health card, col 12, lines 6-8; medical identification number, col 3, lines 19-20). Fig. 3 shows that Input/Output port management 33 is also coupled to the memory and processor. Pitroda also discloses metal contacts of the UET card that are connected to the corresponding contacts or port of the CIU, and the CIU software recognizes the UET card contact and prepares itself to read information from the UET card (col 13, lines 2-6). Such contacts are input/output (I/O) components, coupled to the memory and processor, to communicate a variety of user information in a manner detectable external to the card. Pitroda also teaches an LCD type full display 10, contacts 13, speaker/beeper 16 and function keys displayed on the LCD (Fig. 1). Fig. 3 also shows that the display 30, speaker/beeper 37, pins contact 38, and IR/RF option 39 are all coupled to the microcontroller 33 (Fig. 3). The communication interface unit (CIU) interfaces with UET card either through physical metallic contact or infra red or radio frequency based wireless transmit and receive units (col 10, lines 4-9). These components are all input/output components, and therefore, Pitroda discloses a number of input/output components. Pitroda discloses various commands that appear on the display, such as "type," "print," "erase," "security," "shift," etc

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(col 13, lines 50-54). Pitroda discloses that because of the software flexibility, a variety of commands can be developed to changing customer needs, and each set of commands are associated with the display on hand (col 14, lines 61-65). The commands are required to guide UET card user to process transactions and help analyze transaction details, history and patterns (col 14, lines 65-67). Such disclosures teach program instructions stored in the memory and executed by the processor. Fig. 11 shows an image of the display that requests the user to input a security code (col 15, line 49-50). The user touches the numbers on the bottom of the display in the desired sequence, and the user may use the “clear” or “clear all” keys to erase numbers erroneously entered (col 15, lines 53-56). When the user is satisfied with the security code, the user uses the “enter” key to input the security code into semi-permanent memory (col 15, lines 56-58). Such disclosure teaches program instructions that selectably modify the variety of user information, including editing, based on instructions from the user input directly to the card. Pitroda also discloses that the user writes his or her signature on the display in the space indicated, and that signature is stored in the semi-permanent memory (col 15, lines 45-47). Such disclosure teaches programs instructions that selectable modify the variety of user information, including updating, based on instructions from the user input directly to the card. Pitroda also discloses that the universal electronic transaction card includes a security means that includes means for identifying a user by finger print (col 19, lines 24-26), and such disclosure teaches a biometric identification mechanism coupled to the processor, the memory and the I/O components.

Pitroda does not clearly and specifically teach program instructions to selectable modify the variety of user information, including deleting.

Iijima discloses that input data supplied from an external device, i.e., storage data and specified data added thereto, CPU 3 stores the storage data in EEPROM 4a or EPROM 4b (col 4, lines 39-41). Iijima discloses a delete operation of temporal storage data stored in deletable EEPROM 4a (col 5, lines 61-63). The CPU 11 of manipulator 10 supplies an address at which data to be deleted is stored along with a specified condition for deleting data to CPU 3 (col 5, lines 64-66). CPU 3 checks if the received specified condition for deleting data coincides with that in area f in attribute data b added to the storage data to be deleted. If YES is determined, the storage data is deleted (col 6, lines 2-8). Iijima also discloses an operation for altering specified data stored in EEPROM 4a (col 9, lines 23-24). CPU 3 stores the alteration data included in the instruction data, and outputs response data indicating completion of alternation to the external device (col 9, lines 49-52).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Iijima to the teachings of Pitroda such that the user can delete data that are no longer in use, which makes more memory available for other useful information to be stored. Such modification also provides faster processing speed because when there are more memory available for use, the processor can use those memory to organize and temporarily allocate some of the data into those empty memory locations.

Pitroda as modified by Iijima fails to teach a sensor mechanism, coupled to the memory, processor, and I/O component, to provide user authorization and identification, the sensor mechanism including an audio sensor.

Baratelli discloses a smart card 114 provided with a microphone 116, and voice recognition hardware/software 212 for converting voice sounds received via microphone 116

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into an electrical representation of a user's voice. Baratelli also discloses that the initialization and use of smart card 114 proceeds as described in connection with Figs. 3, 5 and 9, except that the stored biometric representation used to identify the individual presenting the card is a stored voice characteristic of the individual (col 9, lines 44-60). Baratelli also discloses that the biometric may be retinal scan (col 9, lines 60-65).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Baratelli to the teachings of Pitroda as modified by Iijma such that the card has multiple functions and sensors to uniquely identify the user of the card to ensure the security of the personal information stored in the card.

Re claim 2: As described above, Pitroda discloses a display on the card, a function key, a transceiver (IR/RF option), a data port (I/O port management), an audio input/output (speaker/beeper).

Re claim 3: As described above, Pitroda also discloses that the universal electronic transaction card includes a security means that includes means for identifying a user by finger print (col 19, lines 24-26).

Re claim 5: Pitroda discloses that the UET card has the ability to provide a complete alpha numeric keyboard on the touch screen (col 15, lines 25-28). Fig. 1 also shows arrow keys at the top of the touch screen and such arrow keys are toggle keys to browse menu items presented on the display.

Re claim 6: Pitroda discloses a touch-sensitive LCD display (col 4, lines 1-5).

Re claims 7 and 29: As described above, Pitroda discloses an IR/RF option. Pitroda also shows in Fig. 2, a POS computer 23 which interfaces directly with the CIU to read/write

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information to and from the UET card and communicate with the main central computer of the credit card or bank card company for customer database, credit verification, etc (col 10, lines 25-32). Such POS is a badge entry check point.

Re claim 8: As described above, Pitroda also discloses that the universal electronic transaction card includes a security means that includes means for identifying a user by finger print (col 19, lines 24-26).

Re claim 9: Pitroda teaches a club membership account number (col 2, lines 56-57), a social security number, which is a tax identification number, and medical identification number (col 3, lines 19-20), which is a medical record. Pitroda also teaches entering a PIN number, which is a password, that is stored in the card when the user inputs it into the card (col 14, lines 7-18).

Re claim 10: Pitroda teaches an IR/RF option. Pitroda also discloses communication means for electronically communicating information, including personal information, account information, and transactional information with service institutions (col 18, lines 40-45). Pitroda further discloses transmitting and receiving information for a plurality of service institution (col 3, lines 1-10). Pitroda also discloses metal contacts of the UET card that are connected to the corresponding contacts or port of the CIU, and the CIU software recognizes the UET card contact and prepares itself to read information from the UET card (col 13, lines 2-6). Such disclosures are all means for transmitting and receiving the variety of user information with an external device.

Re claim 12: As described above, Pitroda also discloses that the user writes his or her signature on the display in the space indicated, and that signature is stored in the semi-permanent



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memory (col 15, lines 45-47). Such disclosure teaches programs instructions that selectable modify the variety of user information, including updating, based on instructions from the user input directly to the card.

Re claim 15: As described above in Pitroda as modified by Iijima, Iijima discloses that the CPU 11 of manipulator 10 supplies an address at which data to be deleted is stored along with a specified condition for deleting data to CPU 3 (col 5, lines 64-66). CPU 3 checks if the received specified condition for deleting data coincides with that in area f in attribute data b added to the storage data to be deleted. If YES is determined, the storage data is deleted (col 6, lines 2-8). Such disclosure teaches a set of instructions executable in response to input on the number of I/O components.

Re claims 16 and 17: Pitroda teaches an IR/RF option. Pitroda also discloses communication means for electronically communicating information, including personal information, account information, and transactional information with service institutions (col 18, lines 40-45). Pitroda further discloses transmitting and receiving information for a plurality of service institution (col 3, lines 1-10).

Re claim 20: Pitroda discloses a touch-sensitive LCD display (col 4, lines 1-5).

Re claims 21 and 23: As described above, Pitroda discloses that a communication interface unit (CIU) interfaces with the UET card either through infra red or radio frequency based wireless transmit and receive units (col 10, lines 4-9). The CIU includes means for receiving data from the UET card, such as infra red or radio frequency based wireless systems (col 10, lines 9-13).

Re claims 24 and 25: As described above in Pitroda in view of Iijima and Baratelli, Iijima discloses that CPU 3 stores the alteration data included in the instruction data, and outputs response data indicating completion of alternation to the external device (col 9, lines 49-52). Such outputted response data is an alert signal as well as a control signal.

Re claim 26: Pitroda discloses that the CIU receives the appropriate information from the UET card, which includes a PIN number (col 16, line 65-col 17, line 2). The CIU sends the received information to the service, and the service provides authorization according to credit check. The CIU receives the authorization and authorizes transaction to the UET (col 17, lines 1-37). Such CIU is a lock mechanism for locking and unlocking a transaction initiated by the UET owner.

Re claim 27: The CIU transmits completed details of the sales transaction to the UET card (col 17, lines 30-38). The communication between CIU and UET is made wirelessly as described above.

Re claim 28: Pitroda teaches that the UET stores social security number (col 2, lines 53-54), drivers license (col 1, lines 34-35), bank account numbers (col 3, lines 15-20), a membership identification (employee identification number, col 1, lines 33-34; a club membership account number, col 2, lines 56-57), a password (a security code, col, 15, lines 49-58), a government record (vehicle registrations, col 1, lines 34-35) and a medical record (health card, col 12, lines 6-8; medical identification number, col 3, lines 19-20).

4. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pitroda in view of Iijima and Baratelli as applied to claim 4 above, and further in view of Goman et al (US

6,196,459). The teachings of Pitroda as modified by Iijima and Baratelli have been discussed above.

Pitroda as modified by Iijima and Baratelli fails to teach instructions to place information relating to a particular item on the magnetic strip.

Goman discloses an encode instruction "ENC" followed by the corresponding cardholder data to be encoded on the magnetic strip of the card (col 4, lines 63-65).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to modify the teachings of Goman to the teachings of Pitroda as modified by Iijima and Baratelli in order to provide the user the option of duplicating the information stored on the card onto a magnetic card, so that the use can have plurality of the same card. Such modification is useful when a membership card is a family membership card, where other family members can also use the same membership card, and the user can duplicate the membership card so that all family members can utilize the card when the user is not with them.

5. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pitroda in view of Iijima and Baratelli as applied to claim 13 above, and further in view of Gangi (US 6,293,462, as cited by the Applicant) and Hasegawa (US 5,055,662). The teachings of Pitroda as modified by Iijima and Baratelli have been discussed above.

Pitroda as modified by Iijima and Baratelli fails to teach to teach a card having an optical sensor and a magnetic strip.

Gangi teaches a wallet consolidator including a bar code scanner 180 for scanning bar codes (Fig. 3).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Gangi to the teachings of Pitroda as modified by Iijima and Baratelli because many identification cards provide barcodes to quickly retrieve the identification number, and therefore, there is a necessity to provide a bar code reader to obtain the identification information from the original card and store such identification information into the UET card to consolidate information.

Pitroda as modified by Iijima and Baratelli and Gangi fails to teach a magnetic strip on the card.

Hasegawa teaches a card having a magnetic strip 5 (Fig. 2).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Hasegawa to the teachings of Pitroda as modified by Iijima and Baratelli and Gangi because many point of sale terminals are accompanied with a magnetic strip readers, and therefore, by modifying the teaching, the card is capable of accommodating readily available card readers. Therefore, such modification increases the number of places the card can be utilized.

### ***Response to Arguments***

6. Applicant's arguments with respect to claims 1-30 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KUMIKO C. KOYAMA whose telephone number is (571)272-2394. The examiner can normally be reached on Monday-Friday 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve Paik can be reached on 571-272-2404. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kumiko C. Koyama/  
Primary Examiner, Art Unit 2887  
July 05, 2008